

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BLACKIE FLORINCEO ALVAREZ SR.,

Plaintiff,

v.

GRAY REDMAN, *et al.*,

Defendants.

Case No. 2:21-cv-01932-JDP (PC)

ORDER GRANTING IN PART PLAINTIFF'S  
MOTION FOR AN EXTENSION OF TIME  
AND DENYING PLAINTIFF'S MOTION  
FOR AN APPOINTMENT OF AN  
INVESTIGATOR

ECF Nos. 6 & 8

Plaintiff has filed a motion for a ninety-day extension of time to file an amended complaint. ECF No. 6. Good cause appearing, this motion is granted in part.

Plaintiff also filed a motion for the appointment of an investigator. ECF No. 8. Section 1915 does not authorize or require federal courts to finance or subsidize a civil action or appeal by paying expert fees or other costs. *See Hadsell v. Comm'r of IRS*, 107 F.3d 750, 752 (9th Cir. 1997); *Dixon v. Ylst*, 990 F.2d 478, 480 (9th Cir. 1993). The expenditure of public funds on behalf of an indigent litigant is proper only when authorized by Congress. *See United States v. MacCollom*, 426 U.S. 317, 321 (1976); *Tedder v. Odel*, 890 F.2d 210, 211 (9th Cir. 1989).


Plaintiff has not shown any Congressional authority for the appointment and payment for a private investigator for him. *See Khademi v. South Placer Co. Jail*, No. 2:21-cv-1498 KJM-DB P, at \*1 (E.D. Cal. Oct. 18, 2021) (“[T]he court is aware of no authority permitting it to provide plaintiff [a state prisoner proceeding pro se] an investigator.”).

Accordingly, it is hereby ORDERED that:

1. Plaintiff's motion for an extension of time, ECF No. 6, is granted in part.
2. Plaintiff is granted thirty days from the date of this order to file an amended complaint.
3. Plaintiff's motion for the appointment of an investigator, ECF No. 8, is denied.

IT IS SO ORDERED.

Dated: June 14, 2022

  
JEREMY D. PETERSON  
UNITED STATES MAGISTRATE JUDGE